

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION – DETROIT**

IN THE MATTER OF:

Stephanie V. Matthews, Debtor(s).

CHAPTER 13

CASE NO. 16-46136-MLO

JUDGE MARIA L. OXHOLM

**TRUSTEE’S OBJECTION TO DEBTOR’S PROPOSED
POST-CONFIRMATION CHAPTER 13 PLAN MODIFICATION**

NOW COMES, the Chapter 13 Trustee, Tammy L. Terry, and objects to the debtor’s proposed post-confirmation plan modification and states as follows:

1. The debtor filed for Chapter 13 relief on April 22, 2016. This matter was confirmed on October 7, 2016, which proposed bi-weekly payments of \$117.92 for thirty-six (60) months and 0% dividend to unsecured creditors. The terms of the confirmed Plan also requires the debtor(s) to remit 100% of future income tax refunds to the Trustee for the benefit of creditors.

2. On May 2, 2019, the debtor filed a post confirmation plan modification requesting to:

- a. excuse the requirement to remit her 2016, 2017 and 2018 federal income tax refund for the reason that she needed the funds to pay for unexpected medical bills.
- b. to surrender the remaining claim with Kia Finance and to be treated as a class 9 general unsecured creditor.

3. The debtor provides in the proposed modification that upon surrendering the 2016 Kia Sportage that the debtor will replace this vehicle with a payment to her father for use of his car in the amount of \$568.00 per month. The Trustee requests that the debtor provide documentation to support this payment and the make, model and year of the vehicle. The Trustee further requests that the debtor amend Schedule J and provide documentation to support the debtor’s current income. The Trustee further requests that the debtor provide documentation to support the automobile insurance expense.

WHEREFORE, the Chapter 13 Trustee requests this Honorable Court deny the debtor’s proposed plan modification and/or grant any relief this Court deems to be just and appropriate.

OFFICE OF THE CHAPTER 13 TRUSTEE-DETROIT

Tammy L. Terry, Chapter 13 Trustee

May 16, 2019

/s/ TAMMY L. TERRY

/s/ TAMMY L. TERRY (P-46254)

Chapter 13 Standing Trustee

/s/ KIMBERLY SHORTER - SIEBERT (P-49608)

/s/ MARILYN R. SOMERS - KANTZER (P-52488)

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CERTIFICATE OF MAILING

I hereby certify that on May 16, 2019, a copy of **TRUSTEE’S OBJECTIONS TO DEBTOR’S POST-CONFIRMATION CHAPTER 13 PLAN MODIFICATION** was electronically filed with the Clerk of the Court, served via Electronic Court Filing and/or a copy of same was deposited in the U.S. Mail to debtor’s(s)’ attorney (if any) or the debtor(s), if unrepresented, at the address as it appears below.

/s/ Patrice N. Watson

Legal Assistant

For the Office of the Chapter 13 Trustee-Detroit

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